

To: PROSPECTIVE GAME BOY® ADVANCE SOFTWARE DEVELOPERS
From: SANDY HATCHER, LICENSING MANAGER
NINTENDO OF AMERICA INC.
Re: GAME BOY ADVANCE DEVELOPER AUTHORIZATION PROGRAM

Thank you for your interest in becoming an authorized software developer for Game Boy Advance video game products. If you are currently an authorized Game Boy Color Developer, please note that you are not automatically approved as a Game Boy Advance developer. Everyone interested in becoming a Game Boy Advance developer must submit an application.

The general terms and conditions of our authorized developer program are set forth below:

1. DEVELOPER QUALIFICATIONS. An authorized developer must have demonstrated the ability to develop and program excellent software for Nintendo video game systems or for other video game or computer systems. In addition, an authorized developer must have a stable business organization with adequate office facilities, equipment, personnel and financial resources in order to insure the security of Nintendo proprietary information and in order to insure an effective environment for working with Nintendo and/or its licensees. Nintendo provides authorized developers with highly proprietary information and many of Nintendo's licensees also rely on recommendations and referrals to authorized developers. For these reasons, Nintendo exercises a very high level of care in approving only a select number of authorized developers.
2. CONFIDENTIALITY AGREEMENT; RELEASE OF CONFIDENTIAL INFORMATION. Upon entering into agreements to hold all proprietary information received from Nintendo as confidential, an authorized developer will receive written software programming specifications for the Game Boy Advance video game system and the ability to purchase software development tools solely for that company's site. Authorized developers will have access to Nintendo's Software Development Support Group to discuss development issues. Each employee or independent contractor of an authorized developer who has access to the Nintendo proprietary information will be required to sign a suitable confidentiality agreement with the developer and/or Nintendo. Nintendo will provide a sample agreement for the authorized developer's review and/or use.

3. GAME DEVELOPMENT. Rights granted to an authorized developer extend only to the use of Nintendo's proprietary information in the development of games for the Game Boy Advance system. Rights do not extend to the right to manufacture, market, promote or otherwise exploit developed games or the Nintendo proprietary information, whether incorporated in hardware, software or accessory formats. An authorized developer may develop a game on a speculation basis or on a contract basis with an authorized Nintendo licensee. Authorized licensees of Nintendo are licensed to develop and market approved games for the Game Boy Advance system.

If you are interested in becoming a Game Boy Advance developer, please forward the following information. Keep in mind we typically look for companies that are already established game developers.

- Your company's full ***legal and incorporated*** company name (including Ltd., Inc., Co.), address, telephone and fax numbers.
- A brief explanation of software experience and current/past projects.
- A list of any subcontractors, subsidiaries, branch offices or other related companies that you anticipate will aid in development. Please describe how they will serve to assist in software development.

If we elect to proceed to authorize your company, we will prepare a formal Non-Disclosure Agreement for your review and signature. We will contact you after we have reviewed your application.

Again, thank you for your interest. If you have any questions, please contact me via email at -----@----nintendo.com or by fax at ---.---.----. We look forward to hearing from you.

Best Regards,

Sandy Hatcher
Licensing Manager
Nintendo of America Inc.